



IS ABORTION MORALLY ACCEPTABLE?

Dr. Prabal Kumar Sinha

Principal, Rampurhat College, Birbhum

ABSTRACT

The main objective of this paper is to establish morality of abortion. It is our general opinion that abortion is not ethical because we do not have any right to kill a foetus. Foetus is a human being but we have to remember that at the time of conception it is not human being. Here I am trying to discuss elaborately when and why all the cases abortion is not unethical. One of the interesting ways in which the abortion issue differs from most other moral issues is that the plausible positions on abortions appear to be extreme positions. For if a human foetus is a person, one is inclined to say that, in general, one would be justified in killing it only to save the life of the mother. But sometimes it is found that the abortion is made intentionally. So now a days it is main question of the practical ethics whether it is morally permissible or not? In this context after discussing different opinions and I have tried to establish my opinion.

KEYWORDS: Abortion, Foetus, Killing, Morality

INTRODUCTION

Ethics, all of we know, is admitted as a branch of philosophy. So now a day's not only philosophers, but also the common people wanted to participate regarding various ethical issues to ethics. Many issues are originated in medical science, law or in running a business or a government that are not medical or legal etc. Though they are originated from different sources they are basically same in nature. They all are purely ethical issues. With these issues the issues of bioethics are connected and thus our view about the nature of life and death has changed.

Ethical philosophers were busy with the explanation of ethical ideas or concepts since last few decades. They ignored equally practical ethical issues. Practically they did not consider that discussions of ethical issues cannot be the subject matter of philosophy. But from 1960 they started to think about the contemporary ethical issues. From this time a movement called 'civil rights movement' started in America and many philosophers joined the debates started with the movement. They gradually realized that the discussion which they started is actually ethical discussion. In this paper I want to discuss a controversial issue that is abortion morally acceptable? The main objective of this paper to establish morality of abortion. It is our general opinion that abortion is not ethical because we do not have any right to kill a foetus. Foetus is a human being but we have to remember that at the time of conception it is not human being. Here I am trying to discuss elaborately when and why all the cases abortion is not unethical. One of the interesting ways in which the abortion issue differs from most other moral issues is that the plausible positions on abortions appear to be extreme positions. For if a human foetus is a person, one is inclined to say that, in general, one would be justified in killing it only to save the life of the mother.²

Abortion is a sensitive issue of the society. Abortion may be for different reasons. But sometimes it is found that the abortion is made intentionally. So now a days it is main question of the practical ethics whether it is morally permissible or not? In this context after discussing different opinions and I have tried to establish my opinion. Abortion is usually wilful termination of pregnancy at any point between conception and birth, resulting the death of the foetus. There may be abortion in different reason for example the cause of illness, problem in uterus or consequence of accidents. But if foetus is unintentionally destroyed it is called miscarriage. But it is found that the foetus is destroyed unintentionally we usually call it abortion. Sometimes ego abortion or foetus killing was treated to be censurable offence by society, state or religious. As a result abortion was restricted. Though now a day restriction is not so strict. It still emits a lot of debate. In this context we may state that there are two different opinions, first one from Kantian side-Conservative view who support sanctity of life and second one from Utilitarianism- Liberalist view or consequentialist who support quality of life. The arguments of the conservative against abortion are that it is wrong to kill an innocent human being. A human foetus is an innocent being. Therefore it is wrong to kill a human foetus. But the usual liberal response is to deny the second premise of this argument. So whether the foetus is a human being that the issue is joined and the dispute about abortion is taken to be a dispute about when a human life is being. The conservative points are continuum between foetus or fertilized egg and child. And challenges the Liberal; it point to any stage in this gradual process that mark a morally significant dividing line. Now the question arises whether there is any real dividing line in between fertilized egg and child. It appears from medical report that there are stage differences in between the embryo, foetus and the child. 96 hour from the stage of conception is the stage of zygote, eight weeks from those 8 weeks is the stage of foetus and after birth it is

called child. Prof. Peter Singer has pointed out some difference in between the foetus and the child. These are as follows:

Birth: Birth is the most visible possible dividing line. Child is not invisible like foetus. We can all see, hear and cuddle. But foetus is not like this. So it is not illegal to kill the foetus. In this context the conservative can possibly reply that the foetus and the child have the same the same entity, filling etc. whether we can see them or not. At every stage the feeling of the mother about the foetus and the child is one and same. The process of killing of 'being' whether it lies inside or out-side the womb is illegal.

Viability: The term in which the foetus could survive outside the womb is treated as the dividing line in between the foetus and the child. At this stage the liberalist can say that as survival of the foetus depends on the mother it has no right to live on the natural desire of its mother. As per example it can be said that as a physically handicap person is dependent to live on the mercy of other; it is better for him to die that to lives until the foetus can earn viability it can be aborted. The conservative treated argue that the foetus is human being and not just as a potential human being. Matured foetus that carries eminent features of human life also featured in the immature foetus (child) is considered to be not proper than the immature foetus also should be considered as improper.

Quickening: According to the traditional catholic theology there prevails soul in the foetus just at the time when the mother feels its movement. The catholic liberalists consider the killing of the foetus at this stage offensive. The conservatives consider the opinion of the liberalist to be meaningless. As it has got no substantial and scientific value, it appears from the scientific research that there is soul even after six weeks of its conception whether it moves or not. So killing of the non-moving foetus is also offensives similar to moving foetus.

Onset of consciousness: It is illegal to kill the life having capacity to feel pleasure or pain. According to the liberalists life prevails in the foetus from its moving condition. So at this stage killing of foetus is illegal. According to the conservatives the foetus after six weeks of conception gets feeling of pleasure or pain. So in no stage the killing of foetus is to be considered legal. Some Liberal Augments: So liberals do not challenge the conservatives claim that the foetus is an innocent human being, but argue that abortion is nonetheless permissible.

They will consider three arguments for this view:

1. The Consequences of Restrictive Laws: The first argument is that laws prohibiting abortion do not stop abortion. Because women who want to have abortion are after being desperate they will go to backyard abortionists or folk remedies. Abortion performed by a qualified specialist doctor is in safe in any medical operation, but attempts to procure medical complication and sometimes death.

2. Not the Law's Business: This argument is against an argument about abortion's laws rather than the ethics of abortion. There are some issues which are not against the State but against the person. For example, homosexuality, prostitution etc. Sexual relation if made with consents of each other there will be no laws business and it is in-between them. It will be treated to be an offensive behaviour if one's behaviour causes aggrievement of the other. In the afore said cause one's interest does not hamper the other interest. It is called victimless crimes.

3. The Feminist Argument: Everybody has right to save her own body. The right of the woman on the foetus is absolute. So woman can retain or not to retain the foetus. On this issue feminist Judith Jurvis Thomson has cited a few examples one of such is placed here. The example is, in the morning one woman after waking finds that she is lying in a hospital bed and her body is connected with a man who is a famous violinist suffering from kidney problem. This connection was made when she was sleeping at night blood stream to blood stream. If she allows this connection for nine months he will remain alive otherwise he will die. The woman has right to disconnect this connection. Now it is a question of moralist which is necessary to preserve one's life.

Thomson affirms that the violinist has right upon his own life but does not have a right to live depending on the life of other. She says entailing a right of the use of another's body depends upon the desire of the woman even it causes the death of other. The arguments made both by the liberalist and conservatives are very strong yet I support the views more of the liberalist because the foetus is a part and parcel of the body of the woman. She has right to abort it.

We may discuss here another case where abortion is impermissible even to save the mother's life. Suppose a woman has become pregnant, and now learns that she has a cardiac condition such that she will die if she carries the baby to term. What may be done for her? The foetus, being a person, has a right to life, but as the mother is a person too, so she has a right to life. Presumably they have an equal right to life. How is it supposed to come out that an abortion may not be performed? If mother and child have an equal right to life, should not we perhaps flip a coin? Or should we add to the mother's right to life her right to decide what happens in and to her body, which everybody seems to be ready to grant- the sum of her right now outweighing the foetus's right to life?

The most familiar argument here is the following. We are told that performing the abortion would be directly killing the child, whereas doing nothing would not be killing the mother, but only letting her die. Moreover, in killing the child, one would be killing an innocent person, for the child has committed no crime, and is not aiming at his mother's death and then there are a variety of ways in which this might be continued. Firstly, but as directly killing an innocent person is always and absolutely impermissible, an abortion may not be performed or, Secondly, as directly killing an innocent person is murder, and murder is always and absolutely impermissible, an abortion may not be performed or, Thirdly, as one's duty to refrain from directly killing an innocent person is more stringent than one's duty to keep a person from dying, an abortion may not be performed or, Fourthly, if one's only options are directly killing an innocent person or letting a person die, one must perfect letting the person die, and thus an abortion may not be performed.

Some people seem to have thought that these are not further premises which must be added if the conclusion is to be reached, but that they follow from the very fact that an innocent person has a right to life but this seems to me to be a mistake, and perhaps the simplest way to show this is to bring out that while we must certainly grant that innocent persons have a right to life, the possibilities in first to four are all false. Take second option for example if directly killing an innocent person is murder, and thus is impermissible, then the mother's directly killing the innocent person inside her is murder, and thus is impermissible. But it cannot seriously be thought to be murder if the mother performs an abortion on herself to save her life. It cannot seriously be said that she must refrain, that she must sit passively by and wait for her death.

There has been a tendency in recent discussions of abortion to use expressions such as "person" and "human being" interchangeably. The tendency to use expressions like person and human being interchangeably is an unfortunate one. It tends to lend covert support to anti-abortion positions. Given such usage, one who holds a liberal view of abortion is put in the position of maintaining that foetuses, at least up to a certain point, are not human beings. Let us discuss here some possibilities, suppose pregnancy lasted only an hour, and constituted no threat to life or health and suppose that a woman becomes pregnant as a result of rape. Admittedly she did not voluntarily do anything to bring about the existence of a child. Admittedly she did nothing at all which would give the unborn person a right to the use of her body. All the same it might be said, as in the violinist story that she ought to allow it to remain for that hour- that it would be indecent in her to refuse. Now some people are inclined to use the term 'right' in such a way that it follows from the fact that you ought to allow a person to use your body for the hour he needs, even though he has not been given that right by any person or act. They may say that there are other ways one can have acquired a right to the use of another person's body than having been invited to use it by that person. Suppose a woman voluntarily indulges in intercourse, knowing of the chance it will issue in pregnancy, and then she does become pregnant; is she not in part responsible for the presence, in fact the very existence, of the unborn person inside her? No doubt she did not invite it in. But does not her partial responsibility for its being there itself give it a right to the use her body? again it might be asked whether or not she can kill it even to save her own life: if she voluntarily called it into existence, how can she now kill it, even in self-defence?

The first thing to be said about this is that it is something new. Opponents of abortion have been so concerned to make out the independence of the foetus, in order to establish that it has a right to life, just as its mother does, that they have

tended to overlook the possible support they might gain from making out that the foetus is dependent on the mother, in order to establish that she has a special against her which are not possessed by any independent person- such as ailing violinist who is a stranger to her. On the other hand, this argument would give the unborn person a right to its mother's body only if her pregnancy resulted from a voluntary act, undertaken in full knowledge of the chance a pregnancy might result from it. It would leave out entirely the unborn person whose existence is due to rape. Pending the availability of some further argument, then we would be left with the conclusion that unborn persons whose existence is due to rape have no right to the use of their mother's bodies, and thus that aborting them is not depriving them of anything they have a right to and hence is not unjust killing.

Besides this I support the following cases of abortion:

1. If there is any risk of life in continuing the pregnancy.
2. If the continuance of pregnancy would involve grave injury to the physical or mental health of the pregnant woman, especially if the mother appears to have been suffering from Thalassimia, Kidney problem AIDS etc.
3. If the baby is physically or mentally impaired one found by medical examination.

In case of some societies where an unmarried woman faces social stigma for becoming pregnant, If the forthcoming child brings unbearable financial burden on the family and If the women or the couple or the family have already a good number of children. If the husband of any woman accidentally dies within a short time during her pregnancy stage she may also abort such pregnancy if she wishes to remarry again. Still it is very much painful to face this condition by the mother.

Before concluding I would like to say that opponents of abortion have been so concerned to make out the independence of the foetus, in order to establish that foetus has a right to life, just as its mother does, that they have tended to overlook the possible support they might gain from making out that the foetus is dependent on the mother, in order to establish that she has a special kind of responsibility for it, a responsibility that gives it rights against her which are not possessed by any independent person. Because it should be remembered that we have only been pretending throughout that the foetus is a human being from the moment of conception. But we should remember from the total discussion it is clear that a very early abortion is surely not the killing of a person.

REFERENCES

1. Bhaumik & Chatterjee, Philosophy, 2002, p-83.
2. Singer, P., Applied Ethics, 1986, p-58.
3. Tooley, M., Abortion and Infanticide, 1984.
4. Grisez, B., Abortion: The Myths, the Realities and the Arguments, 1969.
5. Sumner, L. W., Abortion and Moral Theory, 1981.
6. Feinberg, J. (ed), The Problem of Abortion, 1973.
7. Glover, J., Causing Death and Saving Lives, 1977.
8. Harris, J., The Value of Life, 1985.
9. Regan, T. (ed), Matters of Life and Death, 1986.